

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

UNITED STATES OF AMERICA, §
§
Plaintiff, §
§
v. § CASE NO. 7:20-CV-156
§
7.089 ACRES OF LAND, MORE OR LESS, §
SITUATE IN HIDALGO COUNTY, §
STATE OF TEXAS; AND PAULA §
OCHOA, *et al.*, §
§
§
Defendants. §

COMPLAINT IN CONDEMNATION

1. This is a civil action brought by the United States of America at the request of the Secretary of the Department of Homeland Security, through the Acquisition Program Manager, Wall Program Management Office, U.S. Border Patrol Management Office Directorate, U.S. Border Patrol, U.S. Customs and Border Protection, Department of Homeland Security, for the taking of property under the power of eminent domain through a Declaration of Taking, and for the determination and award of just compensation to the owners and parties in interest.

2. The Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1338.

3. The interest in property taken herein is under and in accordance with the authority set forth in Schedule "A."

4. The public purpose for which said interest in property is taken is set forth in Schedule "B."

5. The legal description and map or plat of land in which certain interests are being acquired by the filing of this Complaint, pursuant to the Declaration of Taking, are set forth in Schedules "C" and "D."

6. The interest being acquired in the property described in Schedules "C" and "D" is set forth in Schedule "E."

7. The amount of just compensation estimated for the property interest being acquired is set forth in Schedule "F."

8. The names and addresses of known parties having or claiming an interest in said acquired property are set forth in Schedule "G."

9. Local and state taxing authorities may have or claim an interest in the property by reason of taxes and assessments due and eligible.

WHEREFORE, Plaintiff requests judgment that the interest described in Schedule "E" of the property described in Schedules "C" and "D" be condemned, and that just compensation for the taking of said interest be ascertained and awarded, and for such other relief as may be lawful and proper.

Respectfully submitted,

RYAN K. PATRICK
United States Attorney
Southern District of Texas

By: *s/ Roland D. Ramos*
ROLAND D. RAMOS
Assistant United States Attorney
Southern District of Texas No. 3458120
Texas Bar No. 24096362
1701 W. Bus. Highway 83, Suite 600
McAllen, TX 78501
Telephone: (956) 618-8010
Facsimile: (956) 618-8016
E-mail: Roland.Ramos@usdoj.gov

SCHEDULE

A

SCHEDULE A

AUTHORITY FOR THE TAKING

The property is taken under and in accordance with 40 U.S.C. §§ 3113 and 3114, which authorize the condemnation of land and the filing of a Declaration of Taking; the Act of Congress approved September 30, 1996, as Public Law 104-208, Division C, Section 102, 110 Stat. 3009-546, 3009-554-55, as amended and codified at 8 U.S.C. § 1103(b) & note; and the Act of Congress approved May 5, 2017, as Public Law 115-31, div. F, tit. VI, 131 Stat. 135, which appropriated the funds that shall be used for the taking.

SCHEDULE

B

SCHEDULE B

PUBLIC PURPOSE

The public purpose for which said property is taken is to construct, install, operate, and maintain roads, fencing, vehicle barriers, security lighting, cameras, sensors, gates, and related structures designed to help secure the United States/Mexico border within the State of Texas.

SCHEDULE

C

SCHEDULE C

LEGAL DESCRIPTION

Hidalgo County, Texas

Tract: RGV-MCS-2026-1

Owner: Paula Ochoa, *et al.*

Acres: 7.089

Being a 7.089 acre tract (308,814 sq ft) parcel of land, more or less, being out of a calculated 39.586 acres, in Hidalgo County, Texas conveyed to Paula Ochoa ET AL, Volume 408, Page 8. Said parcel of land more particularly described by metes and bounds as follows;

Starting at COE Project control marker H100, having the following NAD83 (2011) Grid Coordinates N=16594788.77, E=1015646.60; **Thence** N 58°08'34" W a distance of 3405.36 feet to a found 4" iron pipe designated as RGV-MCS-2024-1-1=2026-1-1=2040-1, said point being the Northeast corner of the U.S. Fish & Wildlife Service tract, Volume 2756, Page 779 and the West line of the Paula Ochoa ET AL tract, Volume 408, Page 8 and on the East line of the Texas Parks and Wildlife Department tract, Volume 3385, Page 410 and on the West line of the I.B.W.C. Levee Right-of-Way File No. 30236-R-851H and on the East line of the I.B.W.C. Levee Right-of-Way File No. 30240-R-847H, for the **Point of Commencement**, and the **Point of Beginning**, having the following coordinates: N=16596586.13, E=1012754.20.

Thence: N 46°13'11" E along the East line of the Texas Parks and Wildlife Department tract, Volume 3385, Page 410 and the West line of the Paula Ochoa ET AL tract, Volume 408, Page 8 and the West line of the I.B.W.C. Levee Right-of-Way File No. 30236-R-851H, crossing the center of an existing wall at 188.54 feet, a distance of 242.18 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-MCS-2024-1-5=2025-1-4=2026-1-2, for angle, said point being the Northeast corner of the Texas Parks and Wildlife Department tract, Volume 3385, Page 410 and the Southeast corner of the Ochoa Sixto tract, Volume 1109, Page 751;

Thence: N 36°33'11" E along said I.B.W.C. line, along the East line of the Ochoa Sixto tract, Volume 1109, Page 751 and the West line of the Paula Ochoa ET AL tract, Volume 408, Page 8, to the North toe of the Levee Road, a distance of 24.99 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-MCS-2025-1-3=2026-1-3 for angle;

Thence: S 45°20'38" E departing said I.B.W.C. line, departing said property line, along said toe, a distance of 440.63 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-MCS-2026-1-4 for angle;

SCHEDULE C, cont'd

Thence: S 44°42'40" E along said toe, a distance of 214.91 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-MCS-2026-1-5 for angle, said point being the Northwest corner of the Jose N. & Mariano L. Villarreal tract, Property ID 509116, and on the East line of the Paula Ochoa ET AL tract, Volume 408, Page 8 and on the East line of the I.B.W.C. Levee Right-of-Way File No. 30236-R-851H;

Thence: S 28°49'27" E along the East line of the Paula Ochoa ET AL tract, Volume 408, Page 8 and the West line of the Jose N. & Mariano L. Villarreal tract, Property ID 509116, along said I.B.W.C. line, departing said toe, crossing the center of an existing wall at 242.44 feet, a distance of 248.94 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-MCS-2026-1-6 for angle;

Thence: S 20°34'38" E along said property line, along said I.B.W.C. line, crossing the center of the levee road at 44 feet, a distance of 115.98 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-MCS-2026-1-7 for angle;

Thence: S 11°34'38" E along said property line, along said I.B.W.C. line, a distance of 138.98 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-MCS-2026-1-8 for angle;

Thence: S 47°52'12" W departing said property line, departing said I.B.W.C. line, a distance of 104.11 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-MCS-2026-1-9 for angle, said point being on the South limit of the 150' enforcement zone;

Thence: N 45°01'44" W along said enforcement zone, a distance of 328.34 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-MCS-2026-1-10 for angle;

Thence: N 47°34'51" W along said enforcement zone, departing the I.B.W.C. Levee Right-of-Way File No. 30236-R-851H at 32.53 feet, crossing the center of an existing 17 foot wide dirt road at 264 feet, a distance of 459.06 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-MCS-2026-1-11 for angle;

Thence: N 48°10'12" W along said enforcement zone, entering the I.B.W.C. Levee Right-of-Way File No. 30236-R-851H at 73.96 feet, a distance of 282.75 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-MCS-2026-1-12=2040-2 for angle, said point being on the West line of the Paula Ochoa ET AL tract, Volume 408, Page 8 and on the East line of the U.S. Fish & Wildlife Service tract, Volume 2756, Page 779 and on the West line of the I.B.W.C. Levee Right-of-Way File No. 30236-R-851H;

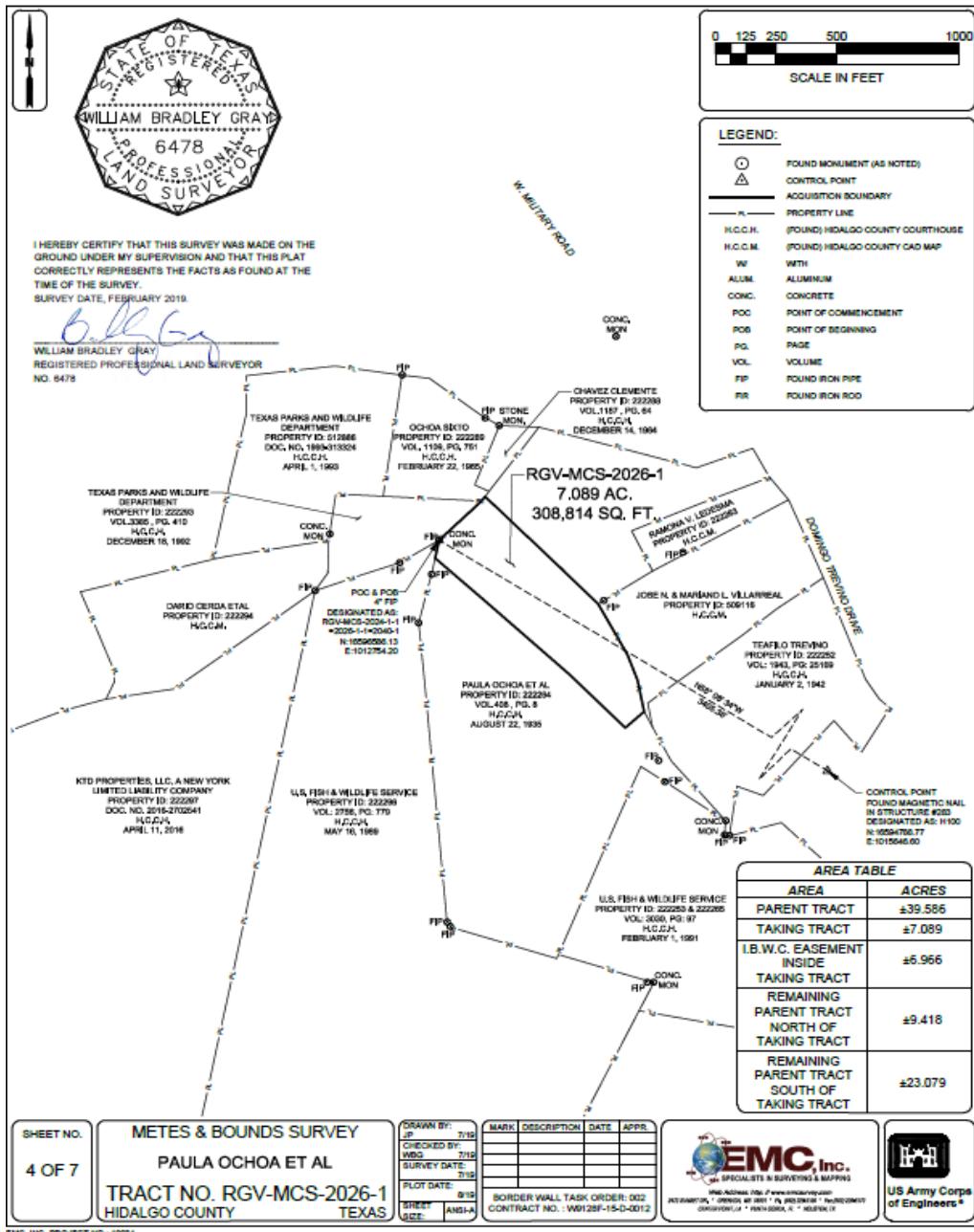
Thence: N 11°43'57" E along said property line, along said I.B.W.C. line, crossing the center of County Road 2718 at 64 feet, a distance of 78.82 feet, returning to the **Place of Beginning**.

SCHEDULE

D

SCHEDULE D

MAP or PLAT



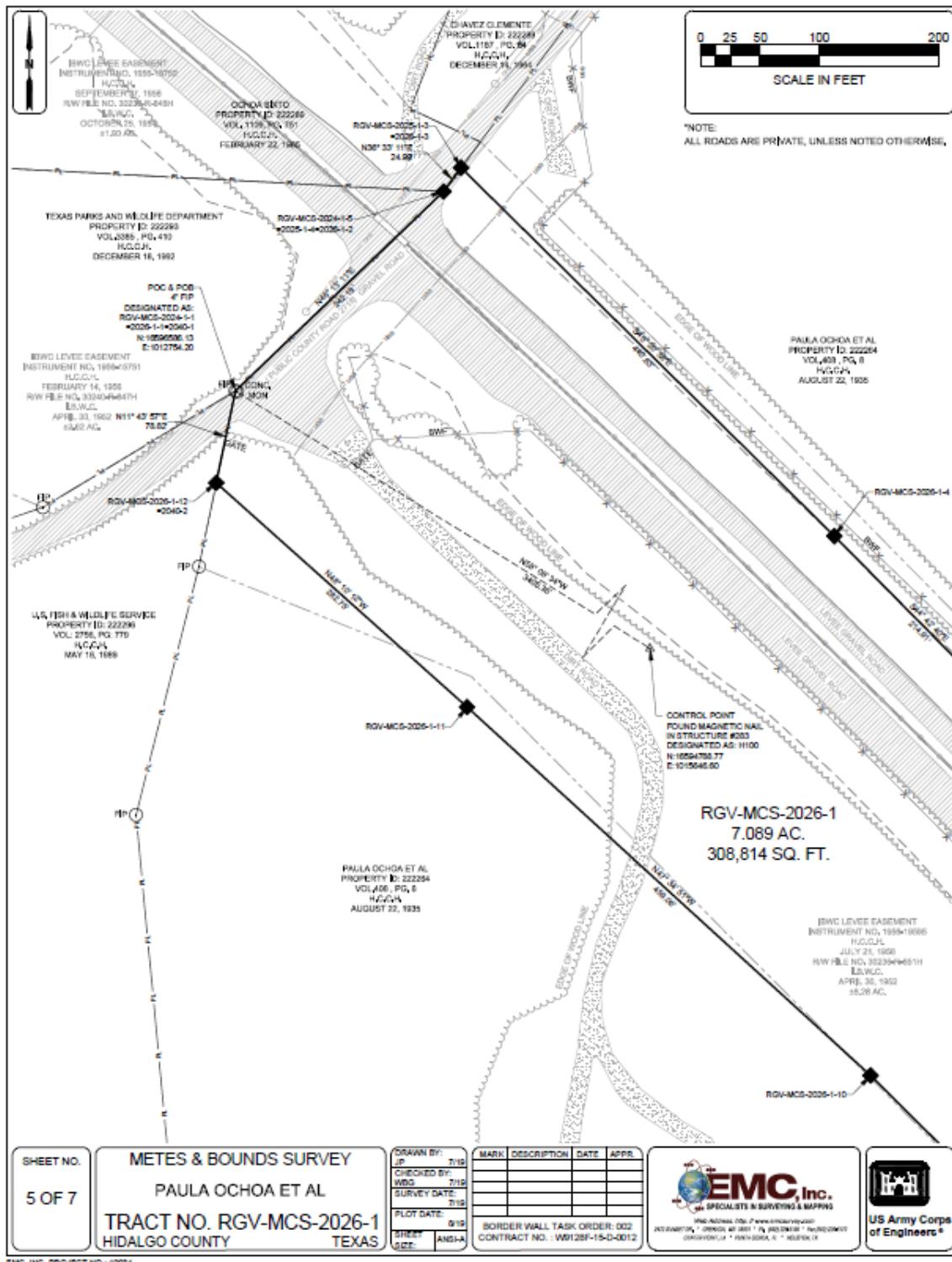
LAND TO BE CONDEMNED

Tract: RGV-MCS-2026-1

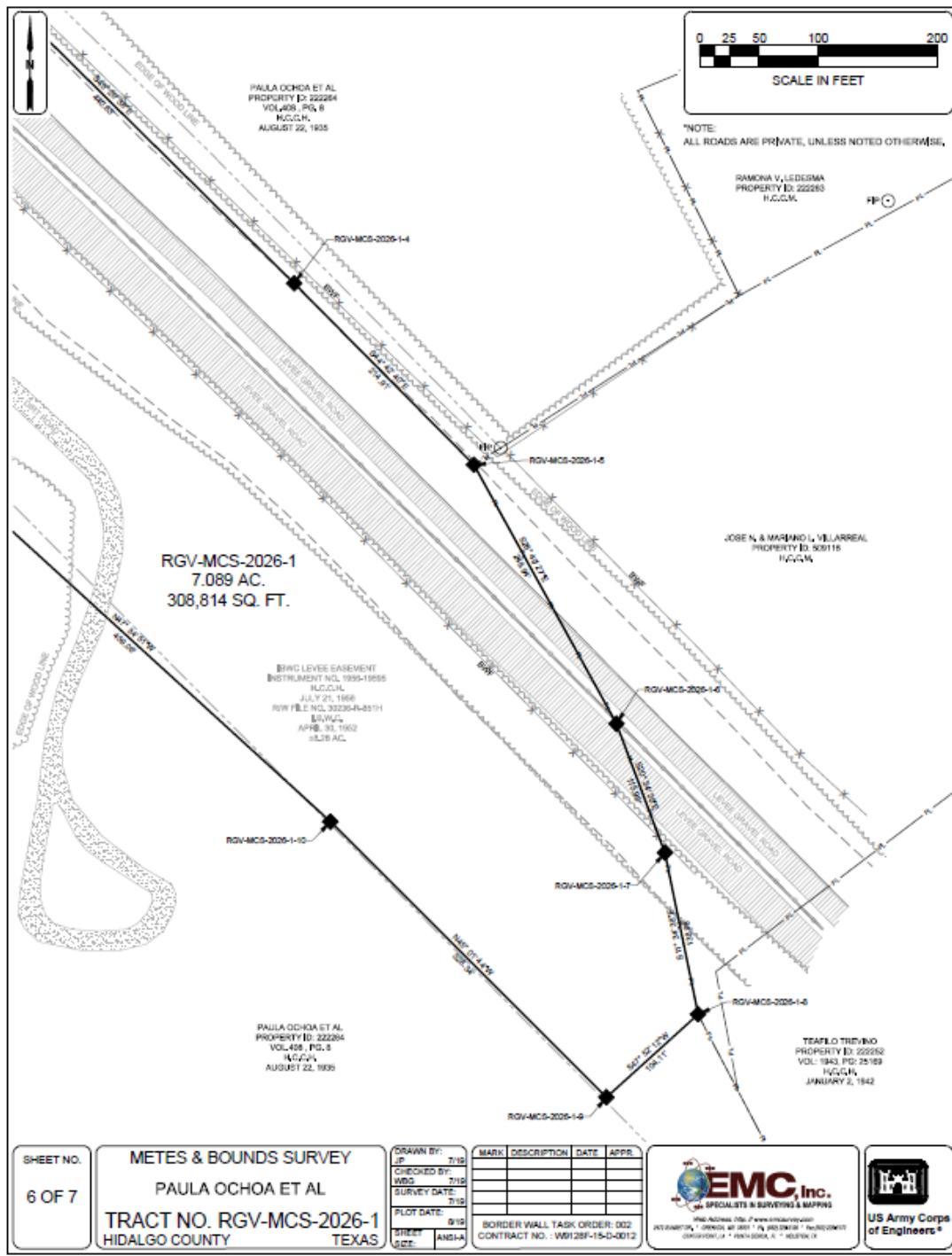
Owner: Paula Ochoa, *et al.*

Acres: 7.089

SCHEDULE D, cont'd



SCHEDULE D, cont'd



SCHEDULE D, cont'd

LEGEND:	
○	FOUND MONUMENT (AS NOTED)
◆	SET 5/8" IR WALL/ALUMINUM CAP STAMPED (AS NOTED)
◆	CONTROL POINT
—	ACQUISITION BOUNDARY
—	EASEMENT LINE
— PL —	PROPERTY LINE
— O — O —	EXISTING WALL
—	LEVEE CENTERLINE
—	LEVEE TOP BANK
—	LEVEE TOE
—	EDGE OF ROAD (TYPE NOTED)
Wavy line	DAVE AND EXCEPT AREA
—	EDGE OF SIDEWALK
—	BUILDING OUTLINE (SEE LABEL)
— F —	FENCE (TYPE NOTED)
—	EDGE OF STRUCTURE (SEE LABEL)
—	BRIDGE OUTLINE
— OH —	OVERHEAD ELECTRICAL LINE
— OG —	UNDERGROUND ELECTRICAL LINE
— P — O —	LIGHT POLE
— O —	UTILITY POLE
— G —	GUY END
— G —	GUY POLE
— J —	JUNCTION BOX
— E —	ELECTRICAL MANHOLE
— M —	ELECTRICAL METER
— P —	ELECTRICAL PULL BOX
— T —	TRANSMISSION TOWER
— S —	SUBSTATION
— T —	ELECTRICAL TRANSFORMER
— C —	COMMUNICATION/TELEPHONE MANHOLE
— C —	COMMUNICATION/TELEPHONE JUNCTION BOX/PEDESTAL
— OG —	OVERHEAD COMMUNICATIONS/TELEPHONE LINE
—	UNDERGROUND COMMUNICATIONS/TELEPHONE LINE
— P —	UNDERGROUND FIBER OPTIC LINE
—	CATCH BASIN
—	STORM GRATE
—	STORM SEWER VALVE
—	STORM MANHOLE
— ID —	STORM SEWER
—	CULVERT
—	HEADWALL AND WINGWALL
—	TOP OF DITCH
—	BOTTOM OF DITCH
—	EDGE OF WATER
—	WATER PUMP
—	MONITORING WELL
—	WATER VALVE
—	WATER METER
—	HYDRANT
—	WATER EXTINGUISHER/FAUCET/PIPET
—	WATER MANHOLE
— W —	WATER LINE
—	LIFT STATION
—	PUMP STATION
—	SEWER CLEAN CUT
—	SEWER MANHOLE
—	SEWER WATER PUMP
—	SANITARY SEWER VAULT
—	SANITARY SEWER LINE
—	GAS TANK
—	GAS VALVE
—	GAS METER
—	GAS LINE MARKER
—	GAS VAULT
—	GAS LINE
—	DOCKS / DECKS/ PIERS
—	EDGE OF RIRRAP
—	EDGE OF VEGETATING (TYPE NOTED)
—	MISCELLANEOUS SYMBOL (SEE LABEL)
— C.C.C.H —	(FOUND) CAMERON COUNTY COURTHOUSE
— C.C.M —	(FOUND) HIDALGO COUNTY CAD MAP
— C.C.M —	(FOUND) CAMERON COUNTY CAD MAP
— W —	WTH
—	UNK.
—	ALUM.
—	CONC.
—	CULV.
—	POC
—	POB
—	PG.
—	VOL.
—	RP
—	FIR
—	1STORY FRAME HOUSE
—	2STORY FRAME HOUSE
—	1STORY BRICK HOUSE
—	2STORY BRICK HOUSE
—	1STCB
—	2STCB
—	1STSB
—	2STSB
—	SHDWFT
—	SHDR
—	CLF
—	WF
—	SBF
—	BWF
—	GAT
—	CEM
—	HEAD STONE

GENERAL SURVEYOR'S NOTES:

1. THE BEARINGS, DISTANCES AND COORDINATE VALUES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, REFERENCED TO NAD 83(2011), TX SOUTH ZONE(42056), US SURVEY FEET, USING THE CORS(2011) ADJUSTMENT. THE DISTANCES AND COORDINATES SHOWN HEREON ARE GRID VALUES AND MAY BE CONVERTED TO GROUND (SURFACE) USING A SCALE FACTOR OF 0.9999912484 (E.G. GRID X 0.9999912484 = SURFACE).
2. A SEPARATE METES AND BOUNDS DESCRIPTION OF EQUAL DATE WAS WRITTEN IN CONJUNCTION WITH THIS SURVEY PLAT.
3. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. THE SUBJECT PARCEL MAY BE SUBJECT TO RECORDED, UNRECORDED OR MIS-INDEXED INSTRUMENTS OR FACTS WHICH WOULD BE REVEALED BY A THOROUGH TITLE EXAMINATION.
4. THE REMAINING ACREAGE OF THE PARENT TRACT WAS CALCULATED FROM THE RECORDED INSTRUMENTS AND/OR GIS INFORMATION PROVIDED BY THE COUNTY AND IS NOT BASED ON FIELD DIMENSIONS.
5. EMC, INC. HAS PROVIDED THESE SURVEY SERVICES TO THE CORPS OF ENGINEERS AS THE PRIME CONSULTANT. THE CORPS' CONTRACTING OFFICER'S REPRESENTATIVE IS STEPHEN CORLEY, RPLS (817) 886-1145.
6. TEXAS 811 UTILITY LOCATE REQUEST WAS SUBMITTED FOR THIS SURVEY ON JULY 18, 2019 (TICKET NO. 1989705456).
7. LONE STAR 811 UTILITY LOCATE REQUEST WAS SUBMITTED FOR THIS SURVEY ON JULY 18, 2019 (TICKET NO. 591991099).

MONUMENT TABLE		
MONUMENT NAME	NORTHING	EASTING
RGV-MCS-2024-1-1=2026-1-1=2040-1	16596586.130	1012754.205
RGV-MCS-2024-1-5=2025-1-4=2026-1-2	16596753.692	1012929.058
RGV-MCS-2025-1-3=2026-1-3	16596773.765	1012943.939
RGV-MCS-2026-1-4	16596464.069	1013257.376
RGV-MCS-2026-1-5	16596311.339	1013408.573
RGV-MCS-2026-1-6	16596093.241	1013528.594
RGV-MCS-2026-1-7	16595984.660	1013569.357
RGV-MCS-2026-1-8	16595840.511	1013597.248
RGV-MCS-2026-1-9	16595778.672	1013520.037
RGV-MCS-2026-1-10	16596010.724	1013287.750
RGV-MCS-2026-1-11	16596320.383	1012948.856
RGV-MCS-2026-1-12=2040-2	16596508.953	1012738.177

SHEET NO.	METES & BOUNDS SURVEY		
7 OF 7	PAULA OCHOA ET AL		
TRACT NO. RGV-MCS-2026-1			
HIDALGO COUNTY TEXAS			
DRAWN BY:	MARK	DESCRIPTION	DATE
CP			APPR.
CHECKED BY:			
WWD			
SURVEY DATE:			
T/19			
PLOT DATE:			
B/19			
STREET	MARK	DESCRIPTION	DATE
ANHSA			APPR.
BORDER WALL TASK ORDER: 002			
CONTRACT NO.: W00128F-15-D-0012			

EMC, INC. PROJECT NO.: 19004

WEBSITE: www.emcinc.com

INVENTORY • DRILLS • 3D SURVEYING • PRE-RECD. SURVEYS

CONTRACTS • PERMITTING • PERIODIC SURVEYS

SCHEDULE

E

SCHEDULE E

ESTATE TAKEN

Hidalgo County, Texas

Tract: RGV-MCS-2026-1
Owner: Paula Ochoa, *et al.*
Acres: 7.089

The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for exploration, development, production and removal of said minerals;

Reserving to the owners of the lands identified in Volume 408, Page 8, Official Records of Hidalgo County (O.R.H.C.) reasonable access to and from the owners' lands lying between the Rio Grande River and the border barrier through opening(s) or gate(s) in the border barrier between the westernmost mark labeled "Beginning" and easternmost mark labeled "Ending" depicted on the map below;

Excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States' construction, operation and maintenance of the border barrier.

SCHEDULE E, cont'd



SCHEDULE

F

SCHEDULE F

ESTIMATE OF JUST COMPENSATION

The sum estimated as just compensation for the land being taken is FORTY FIVE THOUSAND SIX HUNDRED TWENTY-SEVEN DOLLARS AND NO/100 (\$45,627.00), to be deposited herewith in the Registry of the Court for the use and benefit of the persons entitled thereto.

SCHEDULE

G

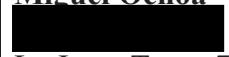
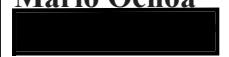
SCHEDULE G**INTERESTED PARTIES**

The following table identifies all persons who have or claim an interest in the property condemned and whose names are now known, indicating the nature of each person's property interest(s) as indicated by references in the public records and any other information available to the United States. *See* Fed. R. Civ. P. 71.1(c).

Interested Party	Reference
Paula Ochoa [REDACTED] Mission, Texas 78572	Affidavit of Heirship , Document #1956-17207; Recorded October 24, 1956; Official Records of Hidalgo County Affidavit of Heirship , Doc #2006-1617621; Recorded May 19, 2006; Official Records of Hidalgo County
Anita Ochoa Kosienski [REDACTED] San Antonio, Texas 78242	Affidavit of Heirship , Document #1956-17207; Recorded October 24, 1956; Official Records of Hidalgo County Affidavit of Heirship , Document #2006-1617621; Recorded May 19, 2006; Official Records of Hidalgo County
Estate of Enriqueta O. Reyes Address unknown	Affidavit of Heirship , Document #1956-17207; Recorded October 24, 1956; Official Records of Hidalgo County Affidavit of Heirship , Document #2006-1617621; Recorded May 19, 2006; Official Records of Hidalgo County
Noemi Flores Oevermann [REDACTED] Burton, Texas 77835	Est. of Eloisa Ochoa Flores via: <i>Affidavit of Heirship</i> , Document #1956-17207; Recorded October 24, 1956;

	<p>Official Records of Hidalgo County</p> <p><i>Affidavit of Heirship</i>, Document #2006-1617621; Recorded May 19, 2006; Official Records of Hidalgo County</p>
Omar Flores [REDACTED] Channelview, Texas 77530	<p>Est. of Eloisa Ochoa Flores via:</p> <p><i>Affidavit of Heirship</i>, Document #1956-17207; Recorded October 24, 1956; Official Records of Hidalgo County</p> <p><i>Affidavit of Heirship</i>, Document #2006-1617621; Recorded May 19, 2006; Official Records of Hidalgo County</p>
Dagoberto Flores [REDACTED] Channelview, Texas 77530	<p>Est. of Eloisa Ochoa Flores via:</p> <p><i>Affidavit of Heirship</i>, Document #1956-17207; Recorded October 24, 1956; Official Records of Hidalgo County</p> <p><i>Affidavit of Heirship</i>, Document #2006-1617621; Recorded May 19, 2006; Official Records of Hidalgo County</p>
The Nazaria G. Ochoa Third Amended and Restated Declaration of Trust dated November 4, 2019 (f/k/a The Nazaria G. Ochoa Revocable Living Trust dated August 12, 2011, The Nazaria G. Ochoa First Amended and Restated Declaration of Trust dated April 16, 2018 and The Nazaria G. Ochoa Second Amended and Restated Declaration of Trust dated June 6, 2018) Nazaria G. Ochoa, Trustee [REDACTED] Mission, Texas 78572	<p>Declaration of Trust, Document #2011-2231916, Recorded August 12, 2011; Official Records of Hidalgo County</p> <p>Third Amended and Restated Declaration of Trust, Document #2019-3063328, Recorded November 12, 2019; Official Records of Hidalgo County</p>

Idalia O. Gonzalez [REDACTED] Mission, Texas 78574	Affidavit of Heirship , Document #2011-2231915, Recorded August 12, 2011; Official Records of Hidalgo County
Nelda O. Granados [REDACTED] Mission, Texas 78572	Affidavit of Heirship , Document #2011-2231915, Recorded August 12, 2011; Official Records of Hidalgo County
Leticia O. Moreno [REDACTED] Palmhurst, Texas 78573	Affidavit of Heirship , Document #2011-2231915, Recorded August 12, 2011; Official Records of Hidalgo County
Guadalupe Ochoa [REDACTED] Mission, Texas 78572	Affidavit of Heirship , Document #2006-1617623, Recorded May 19, 2006; Official Records of Hidalgo County
Rodolfo Ochoa, Jr. [REDACTED] West Plains, Missouri 65775	Affidavit of Heirship , Document #2006-1617623, Recorded May 19, 2006; Official Records of Hidalgo County
Fernando Ochoa [REDACTED] Mission, Texas 78572	Affidavit of Heirship , Document #2006-1617623, Recorded May 19, 2006; Official Records of Hidalgo County
Erineo Ochoa [REDACTED] Canadian, Texas 79014	Affidavit of Heirship , Document #2006-1617623, Recorded May 19, 2006; Official Records of Hidalgo County
Jesus Ochoa [REDACTED] Canadian, Texas 79014	Affidavit of Heirship , Document #2006-1617623, Recorded May 19, 2006; Official Records of Hidalgo County
Ruben Ochoa [REDACTED] Sullivan City, Texas 78595	Affidavit of Heirship , Document #2006-1617623, Recorded May 19, 2006; Official Records of Hidalgo County

Guadalupe M. Elizondo  Mission, Texas 78572	Affidavit of Heirship , Document #2006-1617623, Recorded May 19, 2006; Official Records of Hidalgo County
Miguel Ochoa  La Joya, Texas 78560	Affidavit of Heirship , Document #1997-610271, Recorded July 14, 1997; Official Records of Hidalgo County Corrected Affidavit of Heirship , Document #2014-2562394, Recorded November 7, 2014; Official Records of Hidalgo County
Maribel Ochoa Gonzalez  Palmview, Texas 78572	Affidavit of Heirship , Document #1997-610271, Recorded July 14, 1997; Official Records of Hidalgo County Corrected Affidavit of Heirship , Document #2014-2562394, Recorded November 7, 2014; Official Records of Hidalgo County
Mario Ochoa  McAllen, Texas 78504	Affidavit of Heirship , Document #1997-610271, Recorded July 14, 1997; Official Records of Hidalgo County Corrected Affidavit of Heirship , Document #2014-2562394, Recorded November 7, 2014; Official Records of Hidalgo County
Mary Lou Ochoa Hernandez  Mission, Texas 78572	Affidavit of Heirship , Document #1997-610271, Recorded July 14, 1997; Official Records of Hidalgo County Corrected Affidavit of Heirship , Document #2014-2562394, Recorded November 7, 2014; Official Records of Hidalgo County

San Juanita Farias [REDACTED] Mission, Texas 78572	Affidavit of Heirship , Document #2016-2678894, Recorded January 21, 2016; Official Records of Hidalgo County
Jesusa Rodriguez [REDACTED] McAllen, Texas 78501	Affidavit of Heirship , Document #2016-2678894, Recorded January 21, 2016; Official Records of Hidalgo County
Medardo Cantu [REDACTED] Mission, Texas 78572	Affidavit of Heirship , Document #2016-2678894, Recorded January 21, 2016; Official Records of Hidalgo County
Rogelio Ochoa [REDACTED] Mission, Texas 78572	Affidavit of Heirship , Document #2006-1611933, Recorded May 5, 2006; Official Records of Hidalgo County
Noelia Ochoa Saenz [REDACTED] McAllen, Texas 78501	Affidavit of Heirship , Document #2006-1611933, Recorded May 5, 2006; Official Records of Hidalgo County
Eliazar Santana II [REDACTED] Mission, Texas 78574	Affidavit of Heirship , Document #2006-1617620, Recorded May 19, 2006; Official Records of Hidalgo County
Roberto Ignacio Santana [REDACTED] Mission, Texas 78572	Affidavit of Heirship , Document #2006-1617620, Recorded May 19, 2006; Official Records of Hidalgo County
Pablo “Paul” Villarreal, Jr. Hidalgo County Tax Assessor & Collector 2804 S. Business Highway 281 Edinburg, Texas 78539	Tax Authority

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

United States of America

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
Roland D. Ramos, United States Attorney's Office, SDTX, 1701 West
Bus. HWY 83, Ste 600, McAllen, TX 78501

DEFENDANTS

7.089 Acres of Land, More or Less Situate in Hidalgo County, State of Texas; and Paula Ochoa, et al.,

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

<input checked="" type="checkbox"/> 1 U.S. Government Plaintiff	<input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)
<input type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark
REAL PROPERTY <input checked="" type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/ Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))
				FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609 IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions

V. ORIGIN (Place an "X" in One Box Only)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from Another District (specify) _____	<input type="checkbox"/> 6 Multidistrict Litigation - Transfer	<input type="checkbox"/> 8 Multidistrict Litigation - Direct File
---	---	--	---	--	--	---

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
40 U.S.C. 3113 and 3114

VI. CAUSE OF ACTION

Brief description of cause:
Land condemnation proceeding for fee simple interest to construct, install, operate and maintain border security.

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION
UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE _____

DOCKET NUMBER _____

DATE

06/11/2020

FOR OFFICE USE ONLY

SIGNATURE OF ATTORNEY OF RECORD

ROLAND
RAMOSDigitally signed by ROLAND
RAMOS
Date: 2020.06.11 13:48:16
-05'00

RECEIPT #

AMOUNT _____

APPLYING IFP _____

JUDGE _____

MAG. JUDGE _____